

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DEMETRIUS T. ROGERS )  
                        )  
Petitioner,           )  
                        )  
v.                     )       Case No. CIV-13-453-M  
                        )  
STATE OF OKLAHOMA, )  
                        )  
Respondent.           )

**ORDER**

On May 6, 2013, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that the Court deny petitioner's motion for leave to proceed *in forma pauperis* and dismiss this action without prejudice unless petitioner paid the full \$5.00 filing fee to the Clerk of Court by May 28, 2013. On May 21, 2013, petitioner paid the full \$5.00 filing fee.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 5] issued by the Magistrate Judge on May 6, 2013;
- (2) DENIES petitioner's motion for leave to proceed *in forma pauperis* [docket no. 2], and
- (3) RECOMMITS this matter to the Magistrate Judge for further proceedings.

**IT IS SO ORDERED this 20<sup>th</sup> day of June, 2013.**



VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE